### UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF FLORIDA TAMPA FLORIDA

#### UNITED STATES OF AMERICA

v. Case No.8:03-CR-77-T-30TBM

HATEM NAJI FARIZ
\_\_\_\_\_/

# UNOPPOSED MOTION TO AMEND CONDITIONS OF RELEASE TO ALLOW TRAVEL TO GEORGIA

The Defendant, Hatem Naji Fariz, pursuant to 18 U.S.C. § 3142(c)(3), respectfully requests this Honorable Court to amend his conditions of release to allow him to travel to the area of Austell, Georgia, during the pendency of this case. As grounds in support, Mr. Fariz states:

- 1. On April 23, 2003, Mr. Fariz was released on a substantial secured bond, which includes agreements to forfeit property. One of the conditions of Mr. Fariz's release is that he not travel outside the Middle District of Florida. The Court has previously modified the conditions of release to allow travel to the Chicago, Illinois area without requiring motions for each trip. (Doc. 333).
- 2. Mr. Fariz would like to be able to travel to and from the area of Austell, Georgia. Mr. Fariz makes this request so that he may be with his sister Ahlam Ahmad, who is pregnant and due to give birth in mid-September, and other members of his family who will be visiting the area.
  - 3. Mr. Fariz anticipates multiple trips to Georgia during the remainder of this

case. The present motion will avoid the submission of multiple requests for permission to travel during the pendency of this case. Prior to departing from the Middle District of Florida on any trips to the Austell, Georgia area, Mr. Fariz would provide notice to Nathan Dodson, Pretrial Services Officer, of his dates of travel and of his contact information. During his trips to Georgia, Mr. Fariz anticipates staying with Mrs. Ahmad at 4166 Brookwood Drive, Austell, Georgia, 30106. Mr. Fariz would be able to be contacted at 813-355-6991 on his cell or at 770-739-5190 at his sister's residence. Should this information change, Mr. Fariz will provide prior notice to Mr. Dodson.

- 4. The Federal Public Defender's Office has spoken with Mr. Dodson, and he indicated that he does not have an objection to this request.
- 5. Assistant United States Attorney Walter Furr, III has been advised of this motion and has no objection.

#### **MEMORANDUM**

The Court may at any time amend an order of release to impose additional or different conditions of release. 18 U.S.C. § 3142(c)(3). Mr. Fariz respectfully requests that his conditions of pretrial release be amended to allow travel to and from the area of Austell, Georgia to visit his family. Mr. Fariz will provide prior notice to Pretrial Services of his travel dates and contact information.

WHEREFORE, the defendant, Hatem Naji Fariz, moves this Honorable Court for an order modifying his conditions of release to allow him to travel to the area of Austell, Georgia.

## Respectfully submitted,

# R. FLETCHER PEACOCK FEDERAL PUBLIC DEFENDER

### s/Kevin T. Beck

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## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 8th day of August, 2005, a true and correct copy of the foregoing has been furnished by CM/ECF, to Walter Furr, Assistant United States Attorney; Terry Zitek, Assistant United States Attorney; Cherie L. Krigsman, Trial Attorney, U.S. Department of Justice, Alexis L. Collins, Assistant United States Attorney; William Moffitt and Linda Moreno, counsel for Sami Amin Al-Arian; Bruce Howie, counsel for Ghassan Ballut; and to Stephen N. Bernstein, counsel for Sameeh Hammoudeh.

s/Kevin T. Beck

Kevin T. Beck

Assistant Federal Public Defender